

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
CRIMINAL MINUTE ORDER**

**JUDGE Joseph C. Spero**

**COURT DEPUTY: Karen Hom**

**DATE: July 23, 2008**

**COURT REPORTER: Kathy Sullivan**

**CASE NO. CR08-0160 SI (JCS)**

**TIME: 30 mins**

**NAME: USA v. John Joseph Cota**

**COUNSEL FOR GOVERNMENT:**  
**Jonathan Schmidt**

**COUNSEL FOR DEFENDANT:**  
**Jeff Bornstein**  
**Mark Greenberg for Dft Fleet Mgmt Europe**

**COUNSEL FOR MATERIAL WITNESSES in CR07-90552 MISC VRW (JCS):**

**Brian Getz for Hong Zhi Wang (material witness not present)**

**Douglas Schwartz for Mao Cai Sun (material witness present)**

**Jonathan Howden for Kong Xiang Hu, Shun Biao Zhao, Liang Xian Zheng & Zong Bin Li  
(material witnesses present except for witness Zheng)**

**PROCEEDINGS:**

**RULING:**

1. Motion to Vacate or Continue Rule 15 Depos [Docket #65]
2. Motion to Vacate Current Deposition Dates and Refer Motion to Vacate or Continue Rule 15 Depos to Judge Spero [Docket #67]
3. Witness Wang's Renewed Motion to Return to China Pending Trial Testimony [Docket no. 79]

**NOTES:** Appearance of material witness Zheng and Dft Cota were waived for today's proceedings.

**ORDERED AFTER THE HEARING:**

Court doesn't have sufficient information at this time to discuss the schedule of the depositions for the material witnesses due to the filing of the Second Superseding Indictment and the addition of Defendant Fleet Management. All depositions scheduled for August 11, 2008 are VACATED.

Material witness Hong Zhi Wang is referred to Pretrial Services for an interview. The remaining material witnesses are also referred to Pretrial Services for interviews. Counsel shall contact Pretrial if they wish to have their client(s) interviewed.

Counsel shall discuss continued support by July 28, 2008. If counsel for any of the material witnesses are not satisfied with the remedy, they may contact the Court and request a hearing.

**CASE CONTINUED TO:** August 7, 2008 at 2:00 PM, for continued hearing on the Motions and any proffer from the material witnesses on bail.

**ORDER TO BE PREPARED BY:** [ ] Asst. U.S. Attorney [ ] Defendant [ ] Court